

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION**

**FILED**  
US DISTRICT COURT  
WESTERN DISTRICT  
OF ARKANSAS  
Dec 21, 2017  
OFFICE OF THE CLERK

**JOSHUA SHARP**

**PLAINTIFF**

**VS.**

**NO.** 17-2235

**STATE FARM FIRE AND CASUALTY COMPANY  
& JOHN DOES I-X**

**DEFENDANTS**

**NOTICE OF REMOVAL**

TO: The United States District Court  
Western District of Arkansas, Fort Smith Division

The Circuit Clerk of Crawford County, Arkansas  
300 Main St., Ste. 22  
Van Buren, AR 72956

Brinkley Cook-Campbell  
The Law Offices of Craig L. Cook  
319 N. 8<sup>th</sup> St.  
Fort Smith, AR 72901

Please take notice that the captioned case filed as Case No. 17CV-17-587 in the Circuit Court of Crawford County, Arkansas, has been hereby removed to the United States District Court for the Western District of Arkansas, Fort Smith Division. Defendant, State Farm Fire & Casualty Company ("State Farm"), files this Notice of Removal and states, as grounds for removal, the following:

1. This action was commenced by the filing of a Complaint in the Circuit Court of Crawford County, Arkansas on November 8, 2017 and service on State Farm Fire and Casualty Company on November 28, 2017, and was assigned Case No. 17CV-17-587. A copy of the Complaint and Summons,

constituting all documents served upon Defendant in connection with this cause, are attached hereto as Exhibit A.

2. State Farm is an Illinois corporation with its principal place of business located in the State of Illinois.

3. Plaintiff maintains that he is a citizen and resident of Crawford County, Arkansas.

4. This is a civil action in which Plaintiff seeks damages in an amount in excess of \$75,000. Specifically, Plaintiff seeks compensatory and punitive damages, "in excess of the amount required for diversity jurisdiction pursuant to 28 USC § 1332 . . ." in addition to penalty, interest and attorney's fees. See Damages, ¶ 1 and Prayer.

5. Therefore, this action is one over which a federal district court has original jurisdiction because there is complete diversity of citizenship<sup>1</sup> between the parties pursuant to 28 U.S.C. § 1332, and this case is removable under 28 U.S.C. § 1441(a) under the procedures set forth in 28 U.S.C. § 1446.

6. Defendant has given written notice of this removal by filing copies of this notice of removal with the Circuit Clerk of Crawford County, Arkansas, and by mailing copies of the Notice of Removal to Plaintiff's attorney.

7. No admission of fact, law or liability is intended by the filing of this notice, and all defenses, motions and pleas are expressing reserved.

WHEREFORE, Defendant, State Farm Fire & Casualty Company, gives notice that this case has been removed from the Circuit Court of Crawford

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<sup>1</sup> Plaintiff, in his Complaint, lists additional defendants as "John Does I-X". These defendants are neither named nor further identified in the Complaint.

County, Arkansas to the United States District Court for the Western District of Arkansas, Fort Smith Division.

DATED this 21st day of December, 2017.

Respectfully submitted,

MUNSON, ROWLETT, MOORE & BOONE, P.A.  
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LITTLE ROCK, AR 72201  
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BY:


  
JOHN E. MOORE

AR BIN 82111

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Notice of Removal was forwarded this 21<sup>st</sup> day of December, 2017, to:

Brinkley Cook-Campbell  
The Law Offices of Craig L. Cook  
319 N. 8<sup>th</sup> St.  
Fort Smith, AR 72901

  
JOHN E. MOORE